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**STATE OF DELAWARE  
BOARD OF PHARMACY**

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<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF PHARMACY – Legislative Committee Meeting</b>
<b>DATE AND TIME:</b>	<b>Wednesday, May 17, 2017 9:30 am</b>
<b>PLACE:</b>	Conference Room A., 2 <sup>nd</sup> Floor Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
<b>APPROVED:</b>	June 21, 2017

**MEMBERS PRESENT**

Hooshang Shanehsaz, Chair  
Susan Esposito, R.Ph.  
Bonnie Wallner, R.Ph.  
Kim Robbins, R.Ph.  
Tejal Patel, PharmD  
Jay Galloway  
Gayle MacAfee  
Tim DeRose

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Christine Mast, Administrative Specialist III  
Michelle McCreary, Pharmacist Compliance Officer

**MEMBERS ABSENT**

**ALSO PRESENT**

Peter Aied  
Kevin Musto  
Andrew Shasanya

**CALL TO ORDER**

Mr. Shanehsaz called the meeting to order at 11:10 am.

**REVIEW OF MINUTES**

A motion was made by Ms. MacAfee and seconded by Ms. Esposito to approve the meeting minutes for April 19, 2017 with corrections. The motion unanimously carried.

**UNFINISHED BUSINESS**

Review of statutory revisions for Subchapter I and Subchapter II:

Ms. Kelly requested that the committee focus on the Pharmacy statute as a whole. The statute needs to be reviewed and updated as this has not been done in a while. She is currently working on correcting technical issues and current issues being discussed. She asked that everyone commit to review and provide any necessary changes so they could be completed and prepared for the next legislative session.

Ms. McCreary also stated that the committee should review the current permit types compared to the actual market. These pharmacies only process incoming prescriptions for the dispensing pharmacy, but they are required to meet all Board of Pharmacy statutes and regulations in order to obtain a pharmacy permit. This is just one example.

Ms. McCreary will provide the committee additional information from other states and their statute, regulations and licensure types to assist in reviewing this matter.

Review of Regulation 19.0 - Define Acceptable Training – the committee made the following recommendations for proposed changes to:

19.1.1 ~~The pharmacist-in-charge the Permit Holder is responsible for ensuring shall ensure pharmacy technicians successfully complete a training program proper training of all pharmacy technicians. The actual training may be delegated to a pharmacist or other trained pharmacy technicians. Once training is commenced the technician in training may work in the pharmacy under the direct supervision of a pharmacist.~~

19.1.1.2 The areas of training required are to be determined by the pharmacist-in-charge and will be appropriate to the practice site and responsibilities assigned to the technicians. Training should be ~~a minimum of 10 hours of didactic training~~ in the following areas:

A motion to approve the changes above was made by Mr. Shanehsaz and seconded by Ms. Robbins. The motion unanimously carried.

19.1.2 Certified pharmacy technicians ~~must be at least 18 years of age, and~~ successfully pass the PTCB Exam or other national technician certification exam approved by the Board of Pharmacy. Only certified pharmacy technicians or those individuals approved pursuant to Regulations 19.1.2.1 may assist the pharmacist by reconstituting oral solutions and contacting the prescriber or their agent to obtain refill authorization or other patient or prescription information of a non-clinical nature, or assisting the pharmacist with compounding.

A motion to approve the changes to 19.1.2 above was made by Mr. Shanehsaz and seconded by Mr. Galloway. The motion carried with Ms. Wallner and Mr. Robbins voting against this change.

3PL Licensure- Proposed Regulation Change – committee tabled this for next meeting

Telemedicine Pharmacy Regulations Changes – committee briefly discussed the use of telemedicine for counseling only. To change 5.2.5.3 to add the word “their” between that **their** electronic transmission is secure. The committee tabled this agenda item for further discussion during the next meeting.

Review of Regulation 5.2.4 – the committee discussed the following proposed changes to this regulation:

5.2.1 Prior to dispensing a prescriptive medication to a new patient, a new medication to an existing patient or a medication that has had a change in the dose, strength, route of administration or directions for use, a pharmacist, or a registered intern or pharmacy student working under the direct supervision of a pharmacist, shall provide verbal or electronic counseling to the patient on pertinent medication information whichever method the patient prefers. The counseling may include, but not be limited to the following:

Prescriptive Prescriber Contact Information – the committee discussed prescriber contact information that is not currently present on the prescription when a practitioner must be communicated with prior to dispensing the medication. Thus requiring additional time for the medication to be dispensed which could be problematic for the patient. This information is currently deficient in regulation.

5.1.12.2 Prescription (Drug Order) Information. Prescription information (drug order) shall include, but not be limited to:

5.1.12.2.1 Original dispensing date.

5.1.12.2.2 Name and address of patient (patient location if in an institution).

5.1.12.2.3 Name of prescriber.

5.1.12.2.4 Location address medication was prescribed

5.1.12.2.5 Phone Number of treatment location of the patient

(renumbered)5.1.12.2.6 DEA number of prescriber in the case of a controlled substance.

(renumbered)5.1.12.2.7 Name, strength, dosage form and quantity, (or Stop Date), and route of administration if other than oral form of drug prescribed.

(renumbered)5.1.12.2.8 Renewals authorized.

(renumbered)5.1.12.2.9 Directions of use for patient.

Delaware Health Information Network (DHIN) - Pharmacist Access – the committee currently has no further discussion for this item and asked for its removal from the agenda.

**NEW BUSINESS**

Review of statutory revisions for Subchapter I and Subchapter II, Ms. Kelly discussed this under unfinished business above.

**PUBLIC COMMENT**

**NEXT SCHEDULED MEETING**

The next meeting will be held June 21, 2017 at 9:30 am. Conference Room A

**ADJOURNMENT**

There being no other business before the committee. A motion to adjourn was made by Ms. Patel, seconded by Mr. Galloway. The motion unanimously carried at 1:25 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mast", written in a cursive style.

Christine Mast  
Administrative Specialist III  
Board of Pharmacy